

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

PERRY STRONG,

Plaintiff,

9:05-CV-0152
(GLS)(GJD)

v.

GLENN S. GOORD, Commissioner; DAVID EKPE,
Superintendent; W. PERRAULT, Correction Officer;
MR. PARADIS, Correction Officer; SGT. RANIERI,
Correction Officer; LT. CORNIELSON, Correction Officer;
MR. BATEMEN, Nurse,

Defendants.

APPEARANCES:

PERRY STRONG
85-A-4524
Riverview Correctional Facility
P.O. Box 247
Ogdensburg, NY 13669
Plaintiff, *pro se*

GARY L. SHARPE, DISTRICT JUDGE

ORDER

Presently before the Court is an amended complaint submitted by Perry Strong ("plaintiff"). Dkt. No. 6. The amended complaint was submitted by plaintiff in compliance with the Order of this Court filed on March 7, 2005. Dkt. No. 4 ("March Order").

Plaintiff has added twenty-one (21) new defendants to this action. The Clerk will be directed to add these new defendants to the docket of this action.

In his amended complaint plaintiff alleges that beginning on February 4, 2002 while plaintiff was incarcerated at Riverview Correctional Facility, the defendants violated his constitutional rights. Specifically, plaintiff alleges, *inter alia*, that the defendants assaulted

plaintiff, denied plaintiff due process at hearings, filed false misbehavior reports and falsely testified against plaintiff, denied plaintiff access to the courts, retaliated against plaintiff for his filing complaints and grievances, and were deliberately indifferent to his serious medical needs. For a more complete statement of plaintiff's claims, refer to the amended complaint.

Since the amended complaint filed by plaintiff appears to cure the defects that existed in his prior complaint, it may properly be filed with the Court.

WHEREFORE, it is hereby

ORDERED, that the Clerk is directed to add C.O. Williams, Correctional Officer; V. Montroy, Correctional Officer; H. Matthews, Correctional Officer; Sergeant W. McClear, Correctional Officer; Lieutenant Demers, Correctional Officer; T. Sawyer, Correctional Officer; D. Miller, Correctional Officer; C.O. Brown, Correctional Officer; D. Hooper, Correctional Officer; Sergeant Baker, Correctional Officer; C.O. George, Correctional Officer; C.O. Harris, Correctional Officer; Nurse Listrum, Facility Nurse; Dr. Baaz, Facility Doctor; Dr. G. Haas, D.O.C.S. Doctor; Dr. Aronwitz, D.O.C.S. Doctor; Lieutenant McNally, Correctional Officer; C.O. Taylor, Correctional Officer; C.O. Mullally, Correctional Officer; J.C. Smith, Correctional Officer; and J. St. Joseph, X-Ray Technician as additional defendants to this action, and it is further

ORDERED, that the Clerk shall issue summonses and forward them to plaintiff who is responsible for effectuating service upon the defendants in accordance with the Federal Rules of Civil Procedure.¹ The Clerk shall also forward a copy of the summons

¹ Plaintiff is required to arrange for service of process on his own. Since plaintiff did not apply for *in forma pauperis* status, he is not entitled to have service effectuated by the

and amended complaint by mail to the Office of the Attorney General for the State of New York, together with a copy of this Order, and it is further

ORDERED, that a formal response to plaintiff's amended complaint be filed by the defendants or their counsel as provided for in the Federal Rules of Civil Procedure subsequent to service of process on the defendants, and it is further

ORDERED, that all pleadings, motions and other documents relating to this action shall be filed with the Clerk of the United States District Court, Northern District of New York, 7th Floor, Federal Building, 100 S. Clinton St., Syracuse, New York 13261-7367.

Any paper sent by a party to the Court or the Clerk shall be accompanied by a certificate setting forth the date a true and correct copy of it was mailed to all opposing parties or their counsel. Any letter or other document received by the Clerk or the Court which does not include a proper certificate of service is to be returned without processing. Plaintiff shall also comply with any requests by the Clerk's Office for any documents that are necessary to maintain this action. Motions must comply with Local Rule 7.1 of the Northern District of New York and are to be made returnable before the assigned Magistrate Judge on any business day with proper allowance for notice as required by the Rules. **Plaintiff is also required to promptly notify the Clerk's Office of any change in his address; his failure to do this will result in the dismissal of this action.** All motions will be decided on submitted papers,

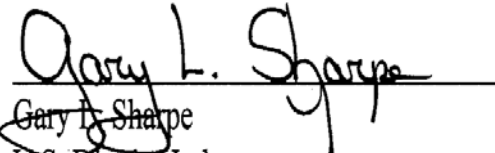
U.S. Marshals Service. Plaintiff seems to indicate in his complaint that he would like to apply for *in forma pauperis* status. See Dkt. No. 6 at ¶ 32. In that regard, the Clerk will be directed to forward to plaintiff a blank *in forma pauperis* application. Since plaintiff has paid the filing fee in full, a prisoner authorization form need not be submitted.

without oral argument, unless otherwise ordered by this Court, and it is further

ORDERED, that the Clerk serve a copy of this Order on the plaintiff by regular mail together with a blank *in forma pauperis* application.

IT IS SO ORDERED.

Dated: June 23, 2005
Albany, New York



Gary L. Sharpe
U.S. District Judge